



## UNITED STATES PATENT AND TRADEMARK OFFICE

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 Alexandria, Virginia 22313-1450  
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER  |
|--------------------|------------------------|-----------------------|-------------------------|
| 10/644,646         | 08/20/2003             | Osamu Nonaka          | OOCL-142 (6MHA-03S0964) |

CONFIRMATION NO. 5496

## FORMALITIES LETTER



\*OC000000013239898\*

Straub & Pokotylo  
 Suite 83, Bldg. 6  
 1 Bethany Road  
 Hazlet, NJ 07730

Date Mailed: 07/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$3106** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$4006** for a Large Entity

08/17/2004 MBELETE1 00000001 10644646

|            |            |
|------------|------------|
| 01 FC:1001 | 770.00 OP  |
| 02 FC:1201 | 2494.00 OP |
| 03 FC:1202 | 612.00 OP  |
| 04 FC:1051 | 130.00 OP  |

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.



- Total additional claim fee(s) for this application is **\$3106**
  - **\$2494** for **29** independent claims over 3.
  - **\$612** for **34** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

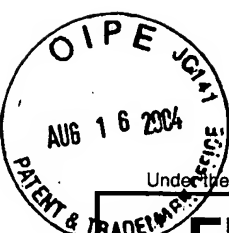


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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# FEE TRANSMITTAL for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 4,046.00)

## Complete if Known

|                      |                         |
|----------------------|-------------------------|
| Application Number   | 10/644,646              |
| Filing Date          | August 20, 2003         |
| First Named Inventor | Osamu Nonaka            |
| Examiner Name        | Not yet assigned        |
| Art Unit             | 2851                    |
| Attorney Docket No.  | OOCL-142 (6MHA-03S0964) |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

50-1049

Straub & Pokotylo

The Commissioner is authorized to: (check all that apply)

☒ Charge any underpayment of fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) due in connection with the filing submitted herewith

☐ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid    |
|--------------|----------|--------------|----------|------------------------|-------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |             |
| 1001         | 770      | 2001         | 385      | Utility filing fee     | 770.00      |
| 1002         | 340      | 2002         | 170      | Design filing fee      |             |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |             |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |             |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |             |
| SUBTOTAL (1) |          |              |          |                        | (\$ 770.00) |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid           |
|--------------------|--------------|----------------|--------------------|
| 54                 | -20** = 34   | X 18.00 =      | 612.00             |
| Independent Claims | 32           | -3** = 29      | X 86.00 = 2,494.00 |
| Multiple Dependent |              |                |                    |

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                         |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                     |
| 1204         | 86       | 2204         | 43       | **Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 3,106.00)

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  | 130.00   |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252     | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
| 1253     | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
| 1254     | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
| 1255     | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     |          |
| 1401     | 330      | 2401     | 165      | Notice of Appeal   |          |
| 1402     | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
| 1403     | 290      | 2403     | 145      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,330    | 2453     | 665      | Petition to revive - unintentional   |          |
| 1501     | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
| 1502     | 480      | 2502     | 240      | Design issue fee   |          |
| 1503     | 640      | 2503     | 320      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(c)  |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure                                       |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) | 40.00    |
| 1809     | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810     | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801     | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 170.00)

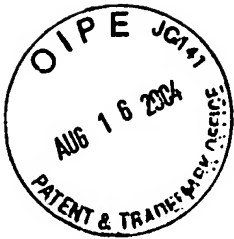
## SUBMITTED BY

(Complete if applicable)

|                   |                  |                                   |                 |           |                |
|-------------------|------------------|-----------------------------------|-----------------|-----------|----------------|
| Name (Print/Type) | John C. Pokotylo | Registration No. (Attorney/Agent) | 36,242          | Telephone | (732) 542-9070 |
| Signature         |                  | Date                              | August 12, 2004 |           |                |

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.



Please type a plus sign (+) inside this box ---+

Modified PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

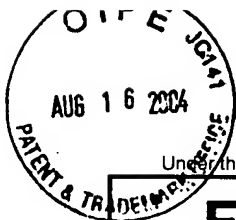
|  |                             |   |
|--|-----------------------------|---|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | <b>Application Number</b>   | 10/644,646  |
|  | <b>Filing Date</b>          | August 20, 2003                                       |
|  | <b>First Named Inventor</b> | Osamu Nonaka  |
|  | <b>Group Art Unit</b>       | 2851  |
|  | <b>Examiner Name</b>        | Not yet assigned                                      |
| <b>Total Number of Pages in This Submission</b>  |                             | <b>Attorney Docket Number</b> OOCL-142 (6MHA-03S0964) |

| ENCLOSURES <i>(check all that apply)</i>   |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers<br><i>(for an Application)</i><br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence<br>Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br><i>(Appeal Notice, Brief, Reply Brief)</i><br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Postcard Receipt<br><input checked="" type="checkbox"/> Other Enclosure(s) <i>(please<br/>identify below):</i><br><br>Executed Declaration and Power of<br>Attorney form and a copy of the<br>application as filed |
| <b>Remarks</b>   |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                                    |
|--|------------------------------------|
| Firm<br>or<br>Individual name              | John C. Pokotylo (Reg. No. 36,242) |
| Signature                                  | <i>John C. Pokotylo</i>            |
| Date                                       | August 12, 2004                    |

| CERTIFICATE OF MAILING  |                         |
|---|-------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class<br>mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: August 12, 2004 |                         |
| Typed or printed name   | John C. Pokotylo        |
| Signature   | <i>John C. Pokotylo</i> |
| Date  | August 12, 2004         |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified PTO/SB/17 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 4,046.00

## Complete if Known

|                      |                         |
|----------------------|-------------------------|
| Application Number   | 10/644,646              |
| Filing Date          | August 20, 2003         |
| First Named Inventor | Osamu Nonaka            |
| Examiner Name        | Not yet assigned        |
| Art Unit             | 2851                    |
| Attorney Docket No.  | OOCL-142 (6MHA-03S0964) |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-1049  
Deposit Account Name: Straub & Pokotylo

The Commissioner is authorized to: (check all that apply)

☒ Charge any underpayment of fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) due in connection with the filing submitted herewith  
☐ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity  | Small Entity  | Fee Description        | Fee Paid     |
|---------------|---------------|------------------------|--------------|
| Fee Code (\$) | Fee Code (\$) |                        |              |
| 1001 770      | 2001 385      | Utility filing fee     | 770.00       |
| 1002 340      | 2002 170      | Design filing fee      |              |
| 1003 530      | 2003 265      | Plant filing fee       |              |
| 1004 770      | 2004 385      | Reissue filing fee     |              |
| 1005 160      | 2005 80       | Provisional filing fee |              |
| SUBTOTAL (1)  |               |                        | (\$ ) 770.00 |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below | Fee Paid           |
|--------------------|--------------|----------------|--------------------|
| Total Claims       | 54           | -20** = 34     | X 18.00 = 612.00   |
| Independent Claims | 32           | -3** = 29      | X 86.00 = 2,494.00 |
| Multiple Dependent |              |                |                    |

| Large Entity  | Small Entity  | Fee Description   | Fee Paid       |
|---------------|---------------|---|----------------|
| Fee Code (\$) | Fee Code (\$) |   |                |
| 1202 18       | 2202 9        | Claims in excess of 20                                    |                |
| 1201 86       | 2201 43       | Independent claims in excess of 3                         |                |
| 1203 290      | 2203 145      | Multiple dependent claim, if not paid                     |                |
| 1204 86       | 2204 43       | **Reissue independent claims over original patent         |                |
| 1205 18       | 2205 9        | **Reissue claims in excess of 20 and over original patent |                |
| SUBTOTAL (2)  |               |   | (\$ ) 3,106.00 |

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130      | 2051 65       | Surcharge - late filing fee or oath  | 130.00   |
| 1052 50       | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 1053 130      | Non-English specification  |          |
| 1812 2,520    | 1812 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804 920*     | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110      | 2251 55       | Extension for reply within first month                                     |          |
| 1252 420      | 2252 210      | Extension for reply within second month                                    |          |
| 1253 950      | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480    | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010    | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330      | 2401 165      | Notice of Appeal   |          |
| 1402 330      | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290      | 2403 145      | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110      | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,330    | 2453 665      | Petition to revive - unintentional   |          |
| 1501 1,330    | 2501 665      | Utility issue fee (or reissue)   |          |
| 1502 480      | 2502 240      | Design issue fee   |          |
| 1503 640      | 2503 320      | Plant issue fee  |          |
| 1460 130      | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       | Processing fee under 37 CFR 1.17(c)  |          |
| 1806 180      | 1806 180      | Submission of Information Disclosure                                       |          |
| 8021 40       | 8021 40       | Recording each patent assignment per property (times number of properties) | 40.00    |
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| 1810 770      | 2810 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770      | 2801 385      | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 170.00

## SUBMITTED BY

(Complete if applicable)

|                   |                  |                                   |                 |           |                |
|-------------------|------------------|-----------------------------------|-----------------|-----------|----------------|
| Name (Print/Type) | John C. Pokotylo | Registration No. (Attorney/Agent) | 36,242          | Telephone | (732) 542-9070 |
| Signature         |                  | Date                              | August 12, 2004 |           |                |

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.